

Serial No.: 09/540,591
Examiner: Hsu, Alpus

REMARKS/ARGUMENTS

The specification has been amended as requested by the Examiner, providing the current information of the co-pending applications mentioned.

The Abstract has been amended as requested by the Examiner to more fully comply with the language and format requirements.

Claims 6-24 remain elected for examination in this application, along with newly added claim 25. Several claims have been amended as shown.

Claims 6-24 have been rejected under 35 USC 112, for reasons relating to consistency and antecedents. Applicants appreciate changes suggested by the Examiner which will remove the basis for rejection. These changes have been made in amendments, with the exception that in claim 6, Applicants wish to claim their invention in slightly different language than that suggested by the Examiner. Applicants ask the Examiner to consider that the language they have selected deals with the antecedent problem addressed by the Examiner and meets the requirements of 35 USC 112.

Claim 22 has been rejected under 35 US 102 (b) as being anticipated by Raji et al (US 5,812,882). Applicant respectfully traverses. It is an important aspect of the invention described by claim 22 as amended that the bus control module receives the system clock from the higher level(s) of the multi-stage distribution system, in response to the framed control signal, and then distributes a copy of the system clock. This structure is not found in Raji et al. The clock signals of Raji originate on timing card 110 and are simply provided to bus 80 (column 20, lines 10-20). There does not appear to be an involvement of Raji's signal processing card or digitized dictation signals in this process, or anything comparable to Applicants' claimed multi-level distribution structure.

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Accordingly, it is submitted that amended claim 22 is not anticipated by Raji et al, and it is respectfully requested that the rejection under 35 USC 102 be withdrawn.

Claim 24 has been rejected under 35 USC 103 (a) as unpatentable over Raji in view of Virdee et al.(US 6,198,753), the Examiner pointing out that Virdee et al. show selecting between reference clocks. The kind of clock selection shown by Virdee is one in which a clock is selected and provided to the line interface unit 12 (column 5, lines 54-55). Claim 24 has been amended to emphasize that Applicants' claimed bus control module in a multi-level distribution system operates by selecting a reference clock from the line interface cards and sending it upstream in the multi-level distribution system. This is an altogether different system timing architecture from that shown by Virdee. Accordingly, it is submitted that the invention of claim 24 as amended is not obvious in view of Raji and the kind of clock selection shown in Virdee et al. and it is requested that the rejection under 35 USC 103 be withdrawn.

While the clock selection of the Virdee et al patent may turn out to be a known practice as stated by the Examiner, this patent appears not to be a proper prior art reference in this case, because of 35 USC 103(c). It is only prior art under 102(e) and was owned by Alcatel USA Sourcing, L.P. or under an obligation of assignment thereto at the time of the present invention.

Claim 23 is believed to be allowable for the reasons given in connection with claim 22 from which it depends, as well as further inventive features included in claim 23.

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New claim 25 is believed to be allowable for the reasons given in connection with claim 24 from which it depends, as well as further inventive features included in claim 25 and disclosed at page 39, line 17 and page 43, line 13 of Applicants' specification.

It is believed that the foregoing amendment places the Application in condition for allowance; therefore, Applicant respectfully requests withdrawal of the Examiner's rejection of claims 6-24, and allowance of same, along with new claim 25. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

While it is believed that no fees are currently due, the Examiner is authorized to charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 50-0838 of Alcatel USA, and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ALCATEL

V. Lawrence Sewell
Reg. No. 22,753

Alcatel
Intellectual Property Department
3400 W. Plano Parkway, M/S LEGL2
Plano, TX 75075
Phone: (972) 519-3735
Fax: (972) 477-9328

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